

EXHIBIT 42

Case:17-03283-LTS Doc#:19726 Filed:01/10/22 Entered:01/11/22 11:20:44 Desc: Main

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to PREPA.

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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

**CLAIMANT RESPONSE TO FOUR HUNDRED TWELFTH OMNIBUS
OBJECTION**

Instructions

1. You should fill out and file this response form only if your claim relates to current or former employment with the government of Puerto Rico, or if your claim relates to a pending or closed legal action. If your claim does not arise from current or former employment with the Government of Puerto Rico, or if your claim does not relate to a pending or closed legal action, your response must be filed in accordance with the procedures detailed in pages 3-4 of the Notice accompanying the Four Hundred Twelfth Omnibus Objection.
2. Please file a separate response form for each proof of claim to which the Debtors have objected. Do not file a single response form addressing more than one claim.
3. Please answer all questions and any applicable sub-questions.

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employee Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

4. Please include as much detail as possible in your responses.

- a. Your answers should provide more information than the initial proof of claim. For example, if you previously wrote as the basis for your claim "Ley 96," please elaborate as to the specific laws on which you are purporting to rely, the year the law at issue was enacted, and how and why you believe such particular law provides a basis for your claim.
- b. If available and applicable to your claim, please provide:
 - Copy of a pleading, such as a Complaint or an Answer;
 - Any unpaid judgment or settlement agreement;
 - Written notice of intent to file a claim with proof of mailing; and
 - Any and all documentation you believe supports your claim.

5. If you do not have a copy of your claim, you may download a copy by visiting Prime Clerk's website at: <https://cases.primeclerk.com/puertorico/Home-ClaimInfo>.

6. You must sign your response where indicated below. If you do not sign your response, the clerk will not accept it for filing.

7. Please file the completed form and any supporting documents as directed in the Notice accompanying the Omnibus Objection to your claim.

Questionnaire

1. Please provide a name, address, telephone number, and email address of either (1) the responding claimant; (2) the claimant's attorney or designated representative to whom the attorneys for PREPA should serve a reply to the response, if any; or (3) the party with authority to reconcile, settle, or otherwise resolve the Omnibus Objection on the claimant's behalf.

□ Name: Jorge Hernandez Garcia

□ Address: Urb. Santa Lucía - Apt 12 San Juan PR 00906

□ Telephone number: 787-241-4524

□ Email address: decere@ymail.com

2. Your Proof of Claim number: BK-3283

3. The Debtors have objected to your Proof of Claim because it does not provide sufficient information for the Debtors to understand the basis for your claim. Please check the box to which your Proof of Claim relates and explain the reason why you oppose the objection by explaining the basis for your claim. Attach additional pages if needed.

☐ A pending or closed legal action with or against the Puerto Rican government

☐ Current or former employment with the Government of Puerto Rico

Please attach a copy of any other documentation or other evidence in support of your claim.

4. What is the amount of your claim (how much money do you claim to be owed):

230,000

5. Employment. Does your claim relate to current or former employment with the Government of Puerto Rico?

- ☐ No. Please continue to Question 6.
☐ Yes. Answer Questions 5(a)-(d).

5(a). Identify the specific agency or department where you were or are employed:

Autoridad Energia Eléctrica

5(b). Identify the dates of your employment related to your claim:

11/1/2009

5(c). Last four digits of your social security number:

6031

5(d). What is the nature of your employment claims (select all applicable):

- ☐ Pension
☐ Unpaid Wages
☐ Sick Days
☐ Union Grievance
☐ Vacation
☐ Other (Provide as much detail as possible. Attach additional pages if necessary).

I was infected the work

6. Legal Action. Does your claim relate to a pending or closed legal action?

- ☐ No.
☐ Yes. Answer Questions 6(a)-(f).

6(a). Identify the department or agency that is a party to the action.

A. E. C.

6(b). Identify the name and address of the court or agency where the action is pending:

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6(c). Case number: D14 12323

6(d). Title, Caption, or Name of Case: _____

6(e). Status of the case (pending, on appeal, or concluded): _____

6(f). Do you have an unpaid judgment? Yes / No (Circle one)

If yes, what is the date and amount of the judgment? _____

PLEASE SIGN YOUR RESPONSE BELOW

[Signature]
Signature

[Printed Name]
Printed Name

12/30/2021
Date

2. Please file separate response forms for each proof of claim opposed by the Debtors. Do not file a single response form covering more than one proof of claim.
3. Please answer all the questions and any applicable sub-questions.
4. Please include as many details as possible in your responses.
 - a. **Your answers should provide more information than was included in the initial proof of claim.** For example, if you previously wrote as the basis for your claim “Act 96,” please elaborate on what specific laws you are purporting to rely on, the year said law was adopted, and how and why you believe this particular law provides a basis for your claim.
 - b. If available and applicable to your claim, please also provide the following:
 - Copy of a pleading; such as a Complaint or an Answer;
 - Any unpaid judgment or settlement agreement;
 - Written notice of intent to file a claim with proof of mailing.
 - All documentation you believe supports your claim.
5. If you do not have a copy of your claim, you can download it on Prime Clerk’s website: <https://cases.primeclerk.com/puertorico/Home-ClaimInfo>.
6. You must sign your reply in the place indicated below. If you do not, the clerk will not accept your reply for filing.
7. Please file the filled-out form and any supporting documents, following the instructions of the Notice attached to the Omnibus Objection to your claim.

Questionnaire

1. Please provide the name, address, telephone number, and e-mail address of 1) the responding claimant; 2) the claimant’s designated attorney or representative, to whom the attorneys of PREPA must serve notice of an answer to the reply, in your case, or 3) the party with authority to reach a settlement, reach an agreement, or otherwise resolve the Omnibus Objection in the claimant’s name.
 - ☐ **Name:** *Jorge Martinez Garcia*
 - ☐ **Address:** *[Illegible]*
 - ☐ **Telephone number:** *7871241-452[?]*
 - ☐ **E-mail address:** *[illegible]@gmail.com*

2. **Proof of claim number:** [illegible] 17-3283

3. **The Debtors have opposed your Proof of Claim because not enough information is provided for the Debtors to understand the basis of your claim. Mark the box that is related to your Proof of Claim and explain the reason why the indicated objection is opposed and the basis of your claim. Attach additional pages, if necessary.**

- ☒ Pending or closed legal action with or against Government of Puerto Rico.
- ☐ current or former employment with the Government of Puerto Rico.

Attach copies of any other documentation or other evidence in support of your claim.

4. **What is the amount of your claim (how much do you allege is owed to you)?**

230,000.00

5. **Employment. Does your claim relate to current or former employment with the Government of Puerto Rico?**

☐ No. *Go to Question 6.*

☒ Yes. **Answer questions 5(a) to (d).**

5(a). Identify the specific agency or department where you were or are employed:

AEE [Puerto Rico Electric Power Authority]

5(b). Specify the dates of your employment in relation to your claim:

11/1/[2009?]

5(c). Last four digits of your Social Security number:

[4031?]

5(d). What is the nature of your employment claims (select all applicable boxes)?:

- ☐ Pension
- ☐ Unpaid salaries
- ☐ Sick leave
- ☐ Complaints with union
- ☐ Vacation Leave

- ☐ Others (provide as much detailed information as possible. Attach additional pages, if necessary).

I was infected at work

Asbestos

6. Legal action. Is your claim related to any pending or closed legal action?

- ☐ No.
- ☒ **Yes. Answer questions 6(a) to (f).**

6(a). Specify the department or agency that is party to the action.

PREPA

6(b). Specify the name and address of the court or agency where the action is pending resolution.

Puerto Rico Court

6(c). Case No. 173283

6(d). Title, caption, or name of the case:

[illegible]

6(e). Status of case (pending resolution, under appeal, or closed):

Pending resolution

6(f). Do you have an unpaid judgment? Yes / **No** (please circle your answer)

If yes, what is the date and amount of the judgment? _____

SIGN YOUR REPLY BELOW

[Signature] _____

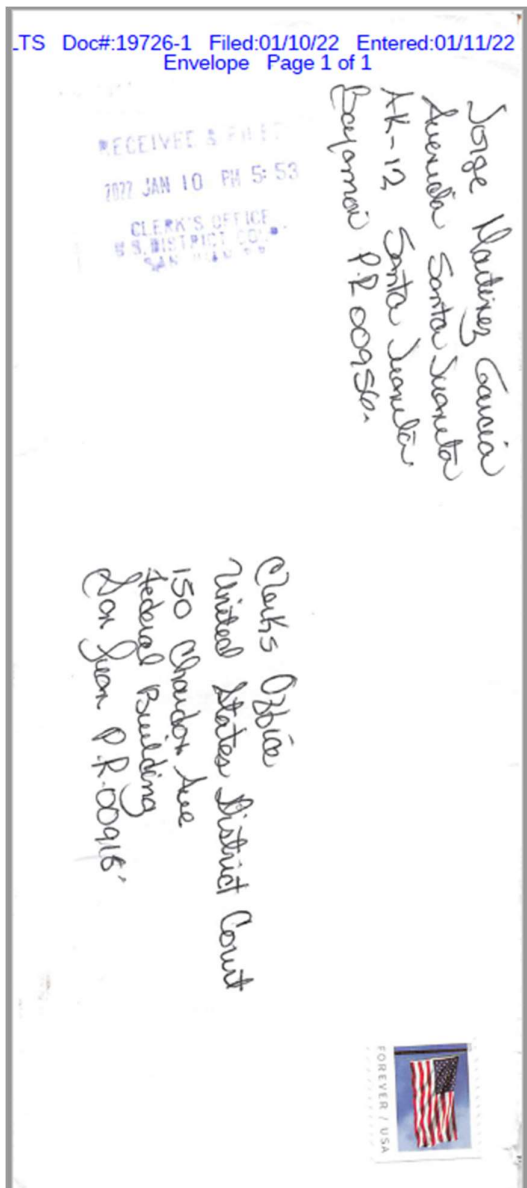
Signature

Jorge Martinez

Printed Name

12/30/[illegible]

Date





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E projects@targemtranslations.com
A 185 Clymer St. Brooklyn, NY 11211

TRANSLATOR'S CERTIFICATE OF TRANSLATION

Translation from: Spanish (Puerto Rico) into English (US)

TARGEM Translations Inc.

I, PHILLIP BERRYMAN, ATA-certified Spanish-English #432118, acting as translator at TARGEM Translations Inc., a NEW YORK City corporation, with its principal office at 185 Clymer Street, Brooklyn, NY, 11211, USA, certify that:

the English translated document is a true and accurate translation of the original Spanish and has been translated to the best of my knowledge.

Original Document Name: **Claim No. 177629 - ECF No 19726 (1) (rev.)**

Signed this 10th day of April, 2023



A handwritten signature in black ink that reads "Phillip Berryman".

Phillip Berryman

